United States of	of America vs. United States	District Court fo
DEFENDANT	LARRY JAMES DODGOM	ICT OF OKLAHOM
	DOCKET NO. ► L	78-CR-106-B
	JUDGMENT AND PROBATION/COMMITMEN	IT ORDER AO-245 (6/74)
	In the presence of the attorney for the government the defendant appeared in person on this date	MONTH DAY YEAR 9 27 78
COUNSEL	WITHOUT COUNSEL  However the court advised defendant of right to counsel have counsel appointed by the court and the defendant thereup with the court advised defendant of right to counsel have counsel with the court advised defendant of right to counsel with the court advised defendant of right to counsel have counsel with the court advised defendant of right to counsel have counsel with the court advised defendant of right to counsel have counsel appointed by the court and the defendant thereup with the court advised defendant of right to counsel have counsel with the court and the defendant thereup with the court and the defendant there will be a supplied to the court and the defendant the court and the defendant there will be a supplied to the court and the defendant there will be a supplied to the court and the defendant the court and th	and asked whether defendant desired to con waived assistance of counsel.
PLEA	GUILTY, and the court being satisfied that there is a factual basis for the plea,	NOT GUILTY
	There being a finding/valler of Sullty. Defendant is discharged  Guilty.	180A C. District, Clark U. S. District, Chart
FINDING.& JUDGMENT	Defendant has been convicted as charged of the offense(s) of having violated ? Sections 922(a) (6) and 924(a), as charged in the Information	itle 18, U.S.C., n.
	The court asked whether defendant had anything to say why judgment should not be pronounced. was shown, or appeared to the court, the court adjudged the defendant guilty as charged and con	victed and ordered that:
SENTENCE	FIRE in the amount of Pifty dollars (\$50.00), payable on this date.	thathe Court Clark
OR PROBATION ORDER		
SPECIAL CONDITIONS OF		
PROBATION		
ADDITIONAL CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed above, it is hereby ordered that the gen reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce any time during the probation period or within a maximum probation period of five years permitted probation for a violation occurring during the probation period.	or extend the period of probation, and at
COMMITMENT RECOMMEN- DATION	The court orders commitment to the custody of the Attorney General and recommends,	It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.
SIGNED BY		CERTIFIED AS A TRUE COPY ON
U.S. Distri		THIS DATE
U.S. Madis	Date <u>9-27-78</u>	( ) CLERK ( ) DEPUTY

....

United States of	of America vs. United	Scates	Distri	et Cor	ırt fo
DEFENDANT		RTHERM DIS	STRICT OF	OKLYHO	<b>_</b>
DEFERBARI	ROBERT GREGORY GREER, a/k/a GREG GREER	KET NO.	78-CR-86	<b>.</b>	
	JUDGMENT AND PROBATION/COM				
					245 (6,74)
	In the presence of the attorney for the government the defendant appeared in person on this date		MONTH 9	20	78
COUNSEL	WITHOUT COUNSEL However the court advised defendant of have counsel appointed by the court and the				
	X WITH COUNSEL Pat Williams and James	ame of counsel)	n, Retain	ed	<del>-</del>
PLEA	GUILTY, and the court being satisfied that NOLO C	Marie and	x Nof	GUILTY	
	NOT GUILTY. Defendant	is discharged	SEP 2 0 19	178	
	There being a flording/verdict of \\ \[ \begin{align*} \text{LX_I GUILTY.} \\ \text{Defendant} \end{align*}		Jack C. Silver,		
FINDING & JUDGMENT	Defendant has been convicted as charged of the offense(s) of having Sections 846 and 841(a)(1) and Title 18 in the Indictment.	y violated, U.S.C.,	S. DISTRICT Title 21 Section 2	, U.S.C , as ch	arged
	The Court finds that the defendant of conviction, and that he is eligible of Correction Act.	ms 21 yea for handli	rs of age	at the	time
	The court asked whether defendant had anything to say why judgment should n was shown, or appeared to the court, the court adjudged the defendant guilty hereby committed to the custody of the Attorney General or his authorized repre	as charged and con	victed and ordered	d that: The de	le contrary efendant is
SENTENCE   OR	treatment and supervision pursuant to T: 5010(b) until discharged by the U. S. P: by law.	itle 18, U arole Comm	.S.C., Se ission, a	ction s provi	ded
PROBATION ORDER					
SPECIAL CONDITIONS					
OF PROBATION			t <sub>e</sub> se		
ADDITIONAL					
CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed above, it is hereby o reverse side of this judgment be imposed. The Court may change the conditions of any time during the probation period of probation for a violation occurring during the probation period.	of probation reduce	or extend the ner	ind of probati	on and at
	The court orders commitment to the custody of the Attorney General a	nd recommends,		ar the special state of the sp	
COMMITMENT RECOMMEN- DATION			a certified co and commitm	hat the Clerk of this judient to the U.Squalified office	lgment S. Mar-
	J		CERTIFIED AS	A TRUE CO	
SIGNED BY	ict Judge		THIS DATE		. 0.14
U.S. Magis			Ву		
	H. DALE COOK Date 9-20	-78		( ) CL	

DEFENDANT	Worthern Dist.		SELENO	-
	DARLENE TAYLOR DOCKET NO.	78-CR-	92-C	
,	JUDGMENT AND PROBATION/COMMITMEN	T ORDI	E <b>R</b> AG	245
	In the presence of the attorney for the government	MONTH	DAY	,
COUNSEL	the defendant appeared in person on this date  WITHOUT COUNSEL However the court advised defendant of right to counsel as	9	19	
	have counsel appointed by the court and the defendant thereupointed by the court and the defendant there is a contract the defendant there is a contract the defendant the defendant there is a contract the defendant the defendant there is a contract the defendant the defendant there is a contract the defendant there is a contract the defendant the defendant there is a contract the defendant the defendant there is a contract the defendant the defendant the defenda	nd asked whet n waived assista	her defendar ince of couns	nt desi
PLEA	(Name of counsel)  **Solution**  GUILTY, and the court being satisfied thatNOLO CONTENDEREST there is a factual basis for the plea.	NOT	Fenilità	
	NOT GUILTY. Defendant is discharged	e muu i	الرج سسا	1 9 14# 1 2
	There being a finding to the GUILTY. Belendant is discharged  GUILTY.	SEP 1 9 1	1978	
FINDING &	Defendant has been convicted as charged of the offense(s) of U.S. C., Section 1383(a(2)	i Dietoloi	Glerk Court -	in
JUDGMENT	Information			 -{
	In the State of the Control of the		المريد ال	100
en e				
SENTENCE	The court asked whether defendant had anything to say why judgment should not be pronounced. Be was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convince to the court, the court adjudged the defendant guilty as charged and convince to the court of the court adjudged the defendant as charged and convince to the court of the court adjudged the defendant as charged and convince to the court adjudged the defendant as charged and convince to the court adjudged the defendant as charged and convince to the court adjudged the defendant as charged and convince to the court adjudged the defendant as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as charged and convince to the court adjudged the defendant guilty as	cted and order	tan led and	dafae i ti
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OR PROBATION ORDER  SPECIAL CONDITIONS OF	Defendant is jointly liable with the defendant, Fraction of \$1,811.60 at the rate of \$50.00 per month be 1978 and continuing thereafter until the full amount paid. In the event the defendant, Frank J. Taylor, monthly payment then and in that event the defendant months are continuing thereafter until the defendant paid.	mk J. T.	ed that we to make	in the cobe of an
OR PROBATION ORDER  SPECIAL CONDITIONS OF	Defendant is jointly liable with the defendant, France No. 78-CR-91-C for restitution to the U. S. Cosum of \$1,811.60 at the rate of \$50.00 per month be 1978 and continuing thereafter until the full amount paid. In the event the defendant, Frank J. Taylor,	mk J. T.	ed that we to make	in the cobe ar
OR PROBATION ORDER  SPECIAL CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF	Defendant is jointly liable with the defendant, Fraction of \$1,811.60 at the rate of \$50.00 per month be 1978 and continuing thereafter until the full amount paid. In the event the defendant, Frank J. Taylor, monthly payment then and in that event the defendant months are continuing thereafter until the defendant paid.	suspended of two documents of two documents of two documents of two documents of the docume	ed that we led and o (2) ye in the led and o (2) ye in	in the core
OR PROBATION ORDER  SPECIAL CONDITIONS OF PROBATION OF PROBATION OMMITMENT RECOMMEN	was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convince research and an account of any sentence is defendant is hereby placed on probation for a period of the court and in the court and in the full amount paid. In the event then and in that event the defendant and all be liable for such payment.  In addition to the special conditions of probation imposed above; it is hereby ordered that the general reverse side of this judgment be imposed. The Court may change the conditions of probation reduce on any time during the probation period of five areas reverse any time during the probation reduce of the probation r	suspended of two documents of two docume	probation seried of probation seried of probation seried of probation seried of probation seried of probation seried of probation seried of probation seried of probation of probation	t out ation, t and r k definudgment. S. M
OR PROBATION ORDER  SPECIAL CONDITIONS OF PROBATION  ADDITIONAL CONDITIONS	Defendant is jointly liable with the defendant, Frances No. 78-CR-91-C for restitution to the U. S. Cosum of \$1,811.60 at the rate of \$50.00 per month be 1978 and continuing thereafter until the full amount paid. In the event the defendant, Frank J. Taylor, monthly payment then and in that event the defendant shall be liable for such payment.  In addition to the special conditions of probation imposed above; it is hereby ordered that the general reverse side of this judgment be imposed. The Court may change the conditions of probation for a violation occurring during the probation period.  The court orders commitment to the custody of the Attorney General and recommends,	suspend of two o	probation seriod of probation serious a warrante dualified off	in i

		TAYLOR	United North	ern Dist	mist as a	<b>1</b> -7 - 1-2-1-1	<u> </u>
DEFENDAN	PRANK J.	· — — — — —			1700 OT 0	TTTION.	
	<u> </u>		роске	T NO. ➤ 🔼	78-CR-9	91-C	
	JUDGMENT	AND PROBA	TION/COMN	11TMEN	IT ORDE	R AO-2	245 (6,
	In the presence of the atto the defendant appeared in	orney for the government			MONTH	DAY	ΥE
COUNSEL	WITHOUT COUNSEL	have counsel appoint	advised defendant of rig ed by the court and the de H. Raskin (Name	thereupo	on waived assistanc	r defendant ce of counsel.	78
PLEA	GUILTY, and the co	ourt being satisfied that is for the plea,	Li NOLO CON	TENDERE,	- horo	GUIET F	7
	There being a finding/e or	NOT G	UILTY. Defendant is d	ischarged		9 1978	
FINDING &	Defendant has been convict  having violate  U.S.C., Section	d Witte ha no	P	1383(a) Informa		ver, Clerk for cours	
						e (j. e.g.). Mario do Mila	
	The court asked whether defen was shown, or appeared to the hereby committed to the custod	dy of the Attorney General o	r his authorized representa	tive for imprisor	ried and ordered in Iment for a period	that: The defe of	endanı
OR OBATION	rhe court asked whether defen was shown, or appeared to the hereby committed to the custod Counts I, II, I and defendant i years.	dy of the Attorney General of	r his authorized representa	tive for imprison	ment for aperiod	that: The defe of	endani
OR OBATION ORDER PECIAL NDITIONS OF	Counts I. II. 1	dy of the Attorney General of LII, IV and V: Ls hereby place dition of proburt Clerk in the place of the plac	The impositied representation on probation is that	defenda	ntenee is period of the period	susper three	endani  <b>ede</b> ć (3)
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SEP 1 9 1978

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clerk U. S. DISTRICT COURT UNITED STATES OF AMERICA, ) Plaintiff-Respondent, v. 78-C-121-B NOS. ) ) 76-CR-123 JIMMY RAY LEE, ) Defendant-Movant.

### ORDER

The Court has for consideration the pro se, in forma pauperis, motion pursuant to 28 U.S.C. § 2255 filed by Robert Jerry Lee. The cause has been assigned civil Case No. 78-C-121-B and docketed in his criminal Case No. 76-CR-123.

Movant is a prisoner in the Federal Correctional Institution,
Seagoville, Texas, pursuant to conviction upon his plea of guilty to
an indictment charging in Count One, conspiracy to take, carry away
and steal property having a value in excess of \$100 which was moving
as and constituted an interstate shipment, with intent to convert it
to his own use in violation of 18 U.S.C. § 371. Count Two charged the
substantive offense in violation of 18 U.S.C. § 659. On September 23,
1976, Defendant, Movant herein, was sentenced to three years imprisonment on each count, to run concurrently with each other, and concurrently
with the sentence Defendant was then serving in the Federal Institution,
Texarkana, Texas.

In his § 2255 motion, Movant demands his release from custody and as grounds therefor claims that he is being deprived of his rights guaranteed by the Constitution of the United States of America. In particular, Movant claims that:

- His plea of guilty was unlawfully induced and not made voluntarily with understanding of the nature of the charges and consequences of the plea, and in contravention of the plea agreement.
- His counsel was ineffective in advising him as to the consequences of a plea.
- 3. The Trial Court did not order a pre-sentence investigation and report prior to passing sentence which adversely affected his eligibility for parole.

The Court recalls the plea and sentence of Jimmy Ray Lee, and has carefully reviewed the motion, response, criminal file, and transcript of the plea and sentence. Being fully advised in the premises, the Court finds that the Movant's contentions are clearly refuted by the

record precluding the necessity for an evidentiary hearing, and the motion is without merit and should be overruled.

Movant's plea of guilty on September 23, 1976, was in full conformity with Rule 11, Federal Rules of Criminal Procedure, and constitutional safeguards. The charges and maximum possible sentence were explained to the Defendant by the Court. It was carefully determined that his plea of guilty was entered of his own free choice, without force, threat or promise. Defendant stated that he was satisfied with his attorney. The plea agreement was placed fully on the record by defense and prosecution counsel, and Defendant stated that the plea agreement was correct and as he understood it. After making certain that the Defendant understood that the Court had not participated in any plea bargaining, was not bound by any plea agreement, and was free to impose the maximum sentence as explained to him, the Court accepted the plea agreement and informed Defendant that he would receive the sentence as recommended in the bargain or one more favorable to him, and sentence was imposed in accordance with the plea agreement. The Defendant admitted committing the crimes charged. His plea was taken while he was under oath, after the Court had explained, "You will now be placed on oath, subject to criminal prosecution and punishment for any false statement you may make or perjury you commit connected with and relevant to your plea; do you understand that?"

Neither Court nor counsel is under any obligation to explain the Parole Commission's application of its guidelines prior to or at the time of plea or sentence, but only must insure that the Defendant understands the minimum and maximum sentence provided by law for the offenses committed. A plea of guilty is a solemn act not be to disregarded because of belated misgivings about the wisdom of the same. United States v. Woosley, 440 F.2d 1280 (8th Cir. 1971); Chaney v. United States, No. 76-1116 Unreported (10th Cir. filed Jan. 4, 1977). Movant's first two claims that his plea and sentence were invalid and his counsel ineffective because the conviction in the case here challenged resulted in a lengthening of the period before he would receive parole consideration on his prior sentence under the Parole Commission's application of its guidelines is without merit and does not support collateral relief in

Movant's third contention that the Court did not obtain a presentence report prior to sentencing which adversely affected his being considered for parole is equally without merit.

Rule 32(c), Federal Rules of Criminal Procedure, provides in pertinent part, "The probation service of the court shall make a presentence investigation and report to the court before the imposition of sentence or the granting of probation unless, with the permission of the court, the defendant waives a presentence investigation and report, . . . " (Emphasis added) Immediately following the Court's acceptance of the Movant's guilty plea, Movant's counsel stated in regard to the presentence report:

"MR. STAINER: He desires to waive.

"DEFENDANT LEE: Yes, sir, I do.

"THE COURT: Do you concur, Mr. Bryant?

"MR. BRYANT: I have no objection, Your Honor."

The Court, with this waiver of a presentence report by Defendant, his counsel, and the prosecuting attorney, permitted the waiver; and after questioning the Defendant, personally, as to any prior record, proceeded to impose the sentence as recommended in the plea agreement.

IT IS, THEREFORE, ORDERED that the motion pursuant to 28 U.S.C. § 2255 of Jimmy Ray Lee be and it is hereby overruled and dismissed. Dated this 194 day of September, 1978, at Tulsa, Oklahoma.

CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

INITED	STATES	DISTRICT	COURT
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SEP 1 5 1978 District of Oklahoma Jack C. Silver, Clerk U. S. DISTRICT COURT Criminal No. 77-CR-50 United States of America ILED MELVIN NICHOLAS CLIFTON

SEP 1 5 107.

#### ORDER FOR DISMISSAL

Jack C. Silver, Clerk Pursuant to Rule 48(a) of the Federal Rules of Critical DISTRICT COURT Procedure and by leave of court endorsed hereon the United States Attorney for the Northern District of Oklahoma Indictment against only hereby dismisses the \_ (indictment, information, complaint) Melvin Nicholas Clifton, defendant.

Leave of court is granted for the filing of the foregoing dismissal.

Date: September 15, 1978

FORM OBD-113

DOJ

8-27-74

## FILED

#### INTTED STATES DISTRICT COURT

UNITED	TAIES DISTRIC	1 COUNT	SEP 1 4 1978
Northern	_District of	Oklahoma	Jack G. Silver, Clerk U. B. DISTRIGT COUNT
United States of America	>	Criminal No.	78-CR-77-C
Vs.	{		
LARRY JAMES DODSON	<b>'</b>		

### ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal
Procedure and by leave of court endorsed hereon the United States
Attorney for the Northern District of Oklahoma
hereby dismisses the <u>Indictment</u> against (indictment, information, complaint)
Larry James Dodson defendant.

HUBERT H. BRYANT United States Attorney

Asst United States Attorney

Leave of court is granted for the filing of the foregoing dismissal.

United States District Judge

Date: September /4, 1978

FORM OBD-113

DOJ

8-27-74

United States of	AL .			art for
DEFENDANT		CA CA OREN		
	JENNIX EXACT HANGUS	77-CR-119-E		
	JUDGMENT AND PROBATION/COMMITMEN	T ORDE	R AO-2	245 (6/74)
	In the presence of the attorney for the government	MONTH	DAY	YEAR
	the defendant appeared in person on this date	9	14	78
COUNSEL (	WITHOUT COUNSEL  However the court advised defendant of right to counsel a have counsel appointed by the court and the defendant thereup.  WITH COUNSEL  Pat Malloy - Retained	on waived assistan	ce of counsel.	<b></b> J
	(Name of counsel)	F	LE	E D
PLEA	GUILTY, and the court being satisfied that there is a factual basis for the plea,	<del></del>	GUILTY EP141	9 <b>78</b>
	There being a finding/value of \( \bigcup \text{NOT GUILTY}.\text{ Defendant is discharged} \\ \bigcup \text{GUILTY}.	Jedi U. C.	O Silor, District	Cierk COUNT
FINDING &  JUDGMENT (	Defendant has been convicted as charged of the offense(s) of having violated ?.  Section 841(a) (1), as charged in the Indictment.	itle 21, V.	s.c.,	
SENTENCE OR PROBATION ORDER	The court asked whether defendant had anything to say why judgment should not be pronounced. was shown, or appeared to the court, the court adjudged the defendant guilty as charged and conhereby committed to the custody of the Attorney General or his authorized representative for impris Right (8) mentine and further endered that the defendant is for paralle at such time as the Paralle Commission may determine 18, U.S.C., Section 4265 (b) (2).  IT IS FURNISH ADVIDGED that said sentence shall include of Three (3) years as required by T. 21, U.S.C., Sec. 84.  IT IS FURNISH ADVIDGED that the defendant shall require sentence for pre-neutonce custody and time served to date sentence.	victed and orders onment for a period as perio	d that: The cod of eligible movided	tefendant is  L
SPECIAL CONDITIONS OF PROBATION				
ADDITIONAL CONDITIONS	In addition to the special conditions of probation imposed above, it is hereby ordered that the gen reverse side of this judgment be imposed. The Court may change the conditions of probation, reduc	eral conditions of	probation sel	t out on the
OF PROBATION	any time during the probation period or within a maximum probation period of five years permits probation for a violation occurring during the probation period.	ted by law, may is	ssue a warrant	and revoke
COMMITMENT RECOMMEN- DATION	The court orders commitment to the custody of the Attorney General and recommends,	It is ordered a certified of and commit	that the Cleri opy of this jument to the U qualified offi	udgment , J.S. Mar-
SIGNED BY		CERTIFIED A	S A TRUE C	OPY ON
SIGNED BY	ict Judge	THIS DATE_	· · · · · · · · · · · · · · · · · · ·	<b>X</b> ,
31.11.5×1120		Ву		CLERK
	Date 9-14-78	l	( )	DEPUTY

## UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA

United States of A	America )	Crimi	nal No. 78	3-CR-55	<del></del>	
vs.	}			FI	L	-
PAUL HALL,	}			- 1	L.,	E
•	·		•	SEI	P 1 3 1	978
	ORDER FOR	DISMISSAL		Jack C. U. S. DIS	Silver, STRICT	Cler
Pursuant to	Rule 48(a) of the	e Federal Rul	es of Crim			0001
Procedure and by	leave of court e	ndorsed herec	on the Unit	ed State	8	
Attorney for the	Northern	_ District of	Oklahoma			
hereby dismisses	the Indictme	nt			gainst	;
	-		on, compiai	nt)		
Paul Hall,		defendant.				
		Asst. Uni	ted States	Attorne	У	
Leave of court is	s granted for the	e filing of t	he foregoin	ng dismi	ssal.	
			N.Dale	Look Distric	t Jude	
Date: Senten	rber 13, 1978	<b>&gt;</b>				

FORM OBD-113

D

DOJ

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Dlaimhise	)	
v.	Plaintiff,	) NO.	78-CR-53-B √
MORRIS GENE FERGUSON,		)	
,	Defendant.	)	

#### ORDER

The Court has received a written request from the Defendant, Morris Gene Ferguson, regarding his sentence imposed July 14, 1978, to 36 months, 72 days confinement in a jail-type institution to be served on weekends, and the remainder on probation.

Defendant asks that he be permitted to serve the remaining 60 days of his 72-day, jail-type confinement in a continuous 60-day period rather than on weekends. The Court, being fully advised in the premises, finds that the request should be granted.

IT IS SO ORDERED this 13th day of September, 1978, at Tulsa, Oklahoma.

CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 131978 3.

Jack C. Silver, Clerk U. S. DISTRICT COURT

: 1 (676

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Plaintiff, )

NO.: 78-CR-24-B

TERRY DEANE COLLINSON,

v.

UNITED STATES OF AMERICA,

### ORDER

Defendant.

In this cause set for jury trial this date, Defendant has made oral motion for dismissal of the indictment on the grounds of unnecessary delay in contravention of the Speedy Trial Act and Local Court Plan under said Act, upon announcement by the Government that a material and key witness is still unavailable for the prosecution to proceed to trial.

In reviewing the proceedings, the Court finds that the indictment was returned February 9, 1978. Prior retained counsel was permitted by the Court to withdraw on April 4, 1978. Present counsel made entry of appearance April 10, 1978, and filed a written waiver of speedy trial that same date. Defendant was granted an extension of time. On June 6, 1978, Defendant filed waiver of jury trial to which the Government objected and declined to consent pursuant to Rule 23(a), Federal Rules of Criminal Procedure. The Government's motion for continuance due to the unavailability of material and key witnesses, Mr. and Mrs. Rogers, was granted June 8, 1978, with no objection from Defendant. Again, on July 7, 1978, the Government's second motion for continuance due to the unavailability of Mrs. Rogers was granted, with no defense objection.

The Court finds that to date the accused has been most cooperative regarding continuances herein. However, he now, seven months after indictment, demands trial or dismissal of the charges. Defendant's motion should be sustained in accordance with the spirit of the Speedy Trial Act and Rule 48(b), Federal Rules of Criminal Procedure.

IT IS, THEREFORE, ORDERED that the indictment against Terry Deane Collinson and this case be and they are hereby dismissed.

Done in open Court this 11th day of September, 1978, at Tulsa, Oklahoma.

CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of	America vs.		District Court for STRICT OF OKLAHOMA
DEFENDANT	PATRICIA ELIZABETH SMITH a/k/a PAT SMITH	DOCKET NO.	
	JUDGMENT AND PROBA	TION/COMMITMEN	IT ORDER AG 245 (6/74)
	In the presence of the attorney for the government the defendant appeared in person on this date		MONTH DAY YEAR 9 8 78
COUNSEL	have counsel appointed	advised defendant of right to counseled by the court and the defendant thereup  ph F. Clark, Jr., Col  (Name of counsel)	
PLEA	GUILTY, and the court being satisfied that there is a factual basis for the plea,		
	There being a finding/wation of U.X. GUILT	UILTY. Defendant is discharged Y.	SEP 8 1978  Jack C. Silver, Clerk
FINDING &	Defendant has been convicted as charged of the off Section 656, as charged in	ense(s) of having violate	a Hele District Course
JUDGMENT	It is the finding of the age at the time of conviction to believe she would benefit Correction Act.	Court that the defend	S Zdeschienta Aromoto
: **	The court asked whether defendant had anything to say was shown, or appeared to the court, the court adjudge hereby committed to the custody of the Attorney General treatment and supervision u	d the defendant guilty as charged and cor or his authorized representative for	nyicted and ordered that: The defendant is
SENTENCE OR PROBATION ORDER	pursuant to Title 18, U.S.C.  The execution of the sent placed on probation for a p  In addition to the usual is to obtain a job and make at a rate of payment to be	ence is suspended and eriod of Five (5) Yes conditions of probations the s	the defendant is are from this date.  ion, the defendant mount of \$6,000.00
SPECIAL CONDITIONS OF			
PROBATION			
ADDITIONAL CONDITIONS OF PROBATION	In addition to the special conditions of probation impos- reverse side of this judgment be imposed. The Court may any time during the probation period or within a maxim probation for a violation occurring during the probation p	change the conditions of probation, reduction probation period of five years permit	ce or extend the period of probation, and at
COMMITMENT RECOMMEN- DATION	The court orders commitment to the custody of the	e Attorney General and recommends	It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Mar- shal or other qualified officer.
SIGNED BY	<b>)</b> .		CERTIFIED AS A TRUE COPY ON
U.S. Distri		(b)	THIS DATE
	H. DALE COOK	Date 9-8-78	( ) CLERK

F	IL	. E
UNITED STATES DISTRICT COURT	_	
		<b>5 197</b> 8
Jack U. S. [	C. Silv )ISTRII	ver, Clerl CT COUF
United States of America Criminal No. 78-CR-	77	
LARRY JAMES DODSON		
ORDER FOR DISMISSAL		
Pursuant to Rule 48(a) of the Federal Rules of Criminal		
Procedure and by leave of court endorsed hereon the United St	ates	
Attorney for the Northern District of Oklahoma		
hereby dismisses Count 23 of the Indictment (indictment, information, complaint)	age	ainst
Larry James Dodson defendant.		
HUBERT H. BRYANT United States Attorne	¥	
Asst. United States Atto	rney	<u>lla</u>
Leave of court is granted for the filing of the foregoing di	ismis	sal.
United States Dis-	b trict	Judge

FORM OBD-113

DOJ

Date: September 5, 1978

	FILED
UNITED STATES DISTRICT COURT  Northern District of Oklahoma	SEP 5 1973  Jack C. Silver, Clerk U. S. DISTRICT COURT
United States of America	78-CR-77-C
ORDER FOR DISMISSAL	
Pursuant to Rule 48(a) of the Federal Rules of Ca	
Procedure and by leave of court endorsed hereon the Un	nited States

Attorney for the Northern District of Oklahoma

Larry James Dodson, defendant.

HUBERT H. BRYANT United States Attorney

Leave of court is granted for the filing of the foregoing dismissal.

Date: September 5, 1978

FORM OBD-113

DOJ

8-27-74

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AME	CRICA,	)					
	Plaintiff,	)			_	/	
vs.		) No.	76-0	CR-5	3-0	2	
DEBORAH KAY SEIGEL,	Defendant.	) ) )	F	I	L	E	D
				SEP	1	1977	

ORDER

Jack C. Silver, Clerk
U. S. DISTRICT COURT
The defendant, Deborah Kay Seigel, entered a plea of guilty to an indictment charging her with a violation of Title 21 U.S.C. § 846. She was sentenced on July 23, 1976 to treatment and supervision under the Youth Corrections Act, Title 18 U.S.C. § 5010(b). The Court at that time also imposed a special parole term of three years.

Rule 35 of the Federal Rules of Criminal Procedure provides that "[t]he court may correct an illegal sentence at any time . . . . " The Court is now of the opinion that the imposition of a special parole term following a YCA sentence is not authorized by law. For that reason, the sentence heretofore imposed on the defendant, Deborah Kay Seigel, is hereby corrected to eliminate the three-year special parole term.

It is so Ordered this 3/1 day of August, 1977.

United States District Judge